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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of

Preparation for International  
Telecommunication Union World  
Radiocommunication Conferences

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)  
) IC Docket No. 94-31  
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)

To: The Commission

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**COMMENTS OF THE AMERICAN RADIO RELAY LEAGUE, INCORPORATED  
IN RESPONSE TO SECOND NOTICE OF INQUIRY**

**THE AMERICAN RADIO RELAY  
LEAGUE, INCORPORATED**

**Christopher D. Imlay  
BOOTH, FRERET & IMLAY  
1233 20th Street, N. W.  
Suite 204  
Washington, D. C. 20036  
(202) 296-9100**

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## **SUMMARY**

The American Radio Relay League, Incorporated (the League), the national association of amateur radio operators in the United States, submits its comments in response to the Second Notice of Inquiry (the Second Notice), FCC 95-36, 60 Fed. Reg. 8994, released January 31, 1995. The Second Notice addresses technical, regulatory and procedural matters related to the WRC-95 agenda and solicits information to assist the Commission in preparing United States proposals for future conference agendas. The comments reflect the continued support of the interests of the Amateur Radio Service in WRC-95 and future conferences, and attempt to assist the Commission in its planning efforts.

The Commission's consideration of appropriate bands for MSS systems at WRC-95 should be prefaced by a firm determination of which candidate bands recommended by MSS proponents are not properly considered. For the reasons stated herein, the amateur allocations between 1 and 3 GHz are not suitable candidates for MSS, and should not be considered. Though the Second Notice focuses on certain HF broadcasting issues, there should be no consideration of any alignment of the 7 MHz band relative to the Amateur Service or the HF Broadcasting Service at the present time, since any consideration of the matter prior to 2001 would be self-defeating. Finally, the Commission should schedule for WRC-99 a favorable resolution relative to an International Amateur Radio Permit (IARP).

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**COMMENTS OF THE AMERICAN RADIO RELAY LEAGUE, INCORPORATED  
IN RESPONSE TO SECOND NOTICE OF INQUIRY**

The American Radio Relay League, Incorporated (the League), the national association of amateur radio operators in the United States, by counsel and pursuant to Section 1.415 of the Commission's Rules (47 C.F.R. §1.415), hereby respectfully submits its comments in response to the Second Notice of Inquiry (the Second Notice), FCC 95-36, 60 Fed. Reg. 8994, released January 31, 1995. The Second Notice addresses technical, regulatory and procedural matters related to the WRC-95 agenda and solicits information to assist the Commission in preparing United States proposals for future conference agendas. In continued support of the interests of the Amateur Radio Service in WRC-95 and future conferences, and to assist the Commission in its planning efforts, the League states as follows:

**I. Mobile-Satellite Service Issues**

1. As the Second Notice recognizes, WRC-95 will be the first conference under the ITU's new accelerated conference cycle to discuss substantive spectrum allocation and regulatory matters. The

conference represents an opportunity to determine a number of issues relative to MSS allocations. The instant proceeding offers, more particularly, the opportunity to determine which bands should not be considered candidates for MSS allocations, thus to focus at the conference on a positive direction for LEO-MSS.

2. MSS proponents have recently, in comments filed in Docket 94-32<sup>1</sup> and elsewhere, suggested certain amateur service bands as candidates for MSS allocations. For example, Loral/QUALCOMM Partnership, L.P. (LQP) has repeatedly proposed the allocation of the bands 2300-2310 MHz (space-to-Earth) and 2390-2400 MHz (Earth-to-space) as additional MSS allocations.<sup>2</sup> The League has regularly opposed the nomination of these bands as MSS candidates.<sup>3</sup> Fortunately, the Commission did not propose these bands as candidates for additional MSS allocations.<sup>4</sup>

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<sup>1</sup> See, the First Report and Order and Second Notice of Proposed Rule Making, FCC 95-47, released February 17, 1995.

<sup>2</sup> It is also noted that the IAC identified the 2300-2310 MHz, 2390-2400 MHz and 2402-2417 MHz bands as potential locations for MSS allocations. See, IAC Interim Report at 117. However, the Commission dismissed these proposals as impractical in the Second Notice, page 34, footnote 95.

<sup>3</sup> League comments.

<sup>4</sup> The Commission, in the Second Notice, stated that the 2300-2310 MHz, 2390-2400 MHz, and 2402-2417 MHz bands are part of the transfer of spectrum from Federal use to private sector use, and are under consideration in the Spectrum Transfer Notice (Docket 94-32) as candidate bands for U.S. proposals for MSS allocations. In particular, the 2300-2310 MHz band is being given to non-government use on an accelerated basis, but only for non-space, non-airborne services. The Second Notice went on to describe the incompatibility between any MSS operation at 2390-2400 MHz and planetary research at 2380 MHz, leading the

3. Subsequently, the Commission reallocated the band 2390-2400 MHz to the Amateur Service on a primary basis. Consideration of the band 2300-2310 MHz would have been untimely, as the NTIA spectrum reallocation plan does not include this as an "immediate" reallocation but defers it until January 1996. In any event, as noted above, the Commission has determined that segment to be unsuitable for MSS operation.<sup>5</sup>

4. As another example, subsequent to the release of the Second Notice, the IWG-3 considered naming the band 1215-1400 MHz, which includes the Amateur Service allocation of 1240-1300 MHz and amateur-satellite allocation of 1260-1270 MHz, as a band to be studied by the appropriate ITU-R Study Groups for possible MSS allocations at WRC-97. Ultimately, however, IWG-3 concluded that it was not useful to name candidate bands for study at this time, deciding instead simply that MSS requires additional allocations

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Department of Commerce to stipulate that this band should not be used for airborne or space-to-Earth links.

Subsequent to the issuance of the Notice, the Commission released its First Report and Order and Second Notice of Proposed Rule Making in Docket 94-32, in which it elevated Amateur Service operation at 2390-2400 MHz and 2402-2417 MHz bands to primary, and also permitted unlicensed data-PCS systems to operate in the lower segment. The conclusion was that the best use of the 2390-2400 MHz and 2402-2417 MHz bands was for amateur and Part 15 operation. The Commission noted therein, at footnote 53, page 13, that it had in any event already commenced a proceeding to address MSS needs elsewhere in the 2 GHz range. See, Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for Use by the Mobile-Satellite Service, Notice of Proposed Rule Making, ET Docket No. 95-18, FCC 95-39, released January 31, 1995.

<sup>5</sup> Second Notice, page 34, at footnote 95.

and studies of frequency bands suitable for service links and feeder links should take place between WRC-95 and WRC-97 in the ITU-R Study Groups. A similar decision was recently reached in preparation for CPM-95; i.e., that MSS spectrum requirements below 1 GHz should go forward to Geneva without nominating specific candidate bands.

5. It is readily apparent from the foregoing that any additional MSS spectrum requirements can be satisfied in bands outside those allocated to the Amateur and Amateur-Satellite services, and that the Commission should allow the ITU-R study groups additional time to study suitable frequency bands for service and feeder links for MSS.

## **II. 7 MHz Realignment**

6. As noted in comments in response to the first Notice of Inquiry in this proceeding, an important goal of the League and the International Amateur Radio Union (IARU) is to create a worldwide allocation of not less than 300 kHz bandwidth around 7 MHz. Currently, the amateur allocation is 7000-7300 kHz in Region 2 and 7000-7100 kHz in Regions 1 and 3.

7. At WARC-92, the United States proposed the realignment of the bands around 7 MHz, specifically to provide the amateur service a worldwide allocation of 6900-7200 kHz and the broadcasting service an expanded worldwide allocation above 7200 kHz. It was not possible to accomplish this realignment at WARC-92, but Recommendation No. 718 was adopted, which called for a future

competent conference to consider the possibility of aligning the allocations of the Amateur Service around 7 MHz.<sup>6</sup>

8. It is the League's considered assessment that this matter should not be placed on the agenda of a WRC prior to the year 2001. Considering it any earlier would likely defeat the entire purpose of the exercise, given the rate of migration from HF technology for fixed and mobile communications infrastructures of various countries to satellites and cable. Further, the HF broadcast allocations have not been determined in that range. While the matter is of primary interest to the radio amateurs worldwide, postponement of consideration of the matter remains the best means to accomplish the goal.

### **III. International Amateur Radio Permit**

9. The League, in ET Docket 93-198, which sought comments on the United States' preparation for WRC-93 and identification of issues for inclusion on the agendas of WRC-95 and WRC-97 and the United States' positions thereon, discussed at some length the need for an International Amateur Radio Permit (IARP). It was initially requested for consideration as an agenda item for WRC-97. The concept was an international "roaming" amateur license, by means of

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<sup>6</sup> Recommendation 718 (WARC-92) concerning "Alignment of Allocations in the 7 MHz Band Allocated to the Amateur Service" recommends:

that a future competent world administrative radio conference should consider the possibility of aligning the allocations to the amateur service around 7 MHz, with due regard to the requirements of other services...



which United States' amateur licensees could travel to other countries, and other countries' amateurs could travel to the United States, and operate amateur stations based on a combination of the amateur license of the visitor's home country and an endorsement based on an international licensing agreement. The United States has entered into ad-hoc bilateral agreements which permit such operation, and the statutory basis for entry by the United States into multilateral agreements is in place at 47 U.S.C. §310(c).

10. The International Amateur Radio Union (IARU) has been promoting the concept within ITU Region 2 as a starting point, and the existing European Conference of Postal and Telecommunications Administrations (CEPT) Recommendation T/R 61-01, known as the CEPT Common License, provides a good basis for the IARP in Region 1. Another interim opportunity is a similar common amateur license for the Americas, which was supported in Inter-American Telecommunications Conference, now Commission, (CITEL) Resolution No. 6 (II-93). Copies of relevant documents were submitted to the Commission in the League's comments in Docket 93-198. The IARU, having gained support within Region 2 for an IARP, continues to urge the inclusion in the agenda for WRC-99 the issue of an international amateur radio permit. The same will relieve administrations, including the United States, of unnecessary paperwork burdens, and promote the international goodwill that is an inherent element of amateur radio.

11. The United States is therefore urged to propose the following agenda item for WRC-99:

(resolved)

"to consider the adoption of an international amateur radio permit to allow international roaming by duly licensed amateurs among signatory countries;"

Reason: The Executive Committee of the Inter-American Telecommunication Commission (COM/CITEL) has approved an international amateur radio permit for submission to the General Assembly of the Organization of American States for adoption within the Americas. European countries currently permit international roaming within signatory countries under CEPT Recommendation T/R 61-01. There are also numerous bilateral agreements permitting international roaming by amateurs. The objective is to provide one global mechanism to permit such international roaming.

12. Prior to WRC-99, it will be necessary to hold discussions with CEPT, and perhaps other regional organizations, to reach a common proposal on combining the merits of the CITEL and CEPT systems for visiting radio amateurs.

#### **IV. Single-Sideband HF Broadcasting**

13. The Second Notice, at paragraph 85, asks for input on a specific item regarding HFBC: what should the requirements be for SSB transmissions in the new HFBC bands. The inquiry is based on the allegation that "at present, SSB receivers are not widely available and represent a very small fraction of the HF receiver market." There is also an allegation that the SSB receivers are prohibitively expensive in many areas of the world, and that with the advent of DAB, it may not be wise to impose an SSB standard without consideration of long-term alternatives.

14. The League would suggest that the premise of this issue is overstated. First of all, there are numerous readily available SSB receivers for HF broadcast bands throughout the world. They are

more expensive than the AM receivers that have been around for many years. That is not to say that they are prohibitively expensive, however, and the League would suggest that they are not "prohibitively expensive" to residents of most countries of the world. It has been well-established for years that there should be a phasing-out of AM DSB emissions in the HF Bands allocated to the Broadcasting Service. ITU Recommendation No. 519 (WARC-92), citing Resolution 517 of WARC HFBC-87, called for the introduction of SSB transmissions in the HF bands allocated to the broadcasting service with certain characteristics specified in Appendix 45 to the Radio Regulations. It held that "the use of SSB instead of DSB modulation techniques would lead to improved spectrum utilization", and that "in accordance with Recommendation 515 (HFBC-87), new HF broadcasting transmitters installed after 31 December 1990 should as far as possible be capable of operating either in both SSB and DSB, or in the SSB mode alone" (emphasis added).

15. The issue to be addressed, therefore, is not whether SSB emissions should be required in light of new replacement technologies, but rather when DSB emissions should be terminated.<sup>7</sup> The Commission must take those necessary regulatory steps to encourage the immediate conversion to SSB transmissions. To do

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<sup>7</sup> Recommendation No. 519 (WARC-92) did provide for periodic review of the final date for the cessation of DSB emissions at competent future world administrative radio conferences in the light of the latest available complete statistics on the worldwide distribution of SSB transmitters and synchronous demodulator receivers, as stipulated in Resolution 517. That did not, however, have anything to do with the commencement of SSB transmissions in the new bands.

otherwise would be to discourage the development of SSB receivers, thus to perpetuate the wastefulness of DSB transmissions in the HF bands. This is not an issue that deals only with the HF Broadcasting Service. It is, rather, a matter that affects all other users of the HF bands. Indeed, the Amateur Service and most other radio services converted to SSB transmission many years ago. There should be no further foot-dragging in the SSB conversion of the HF broadcasting service.

#### **V. Conclusions**

16. The Commission's consideration of appropriate bands for MSS systems at WRC-95 should be prefaced by a firm determination of which candidate bands recommended by MSS proponents are not properly considered. For the reasons stated above, the amateur allocations between 1 and 3 GHz are not suitable candidates for MSS, and should not be considered. Though the Second Notice focuses on certain HF broadcasting issues, there should be no consideration of any alignment of the 7 MHz band relative to the Amateur Service or the HF Broadcasting Service, since any consideration of the matter prior to 2001 would be self-defeating. Finally, the Commission should schedule for WRC-99 the above-cited resolution relative to an International Amateur Radio Permit (IARP).

Therefore, the foregoing considered, the American Radio Relay League, Incorporated respectfully requests that the Commission consider these, and as well its previously filed comments and reply comments in this proceeding, in considering the WRC-95 issues, and

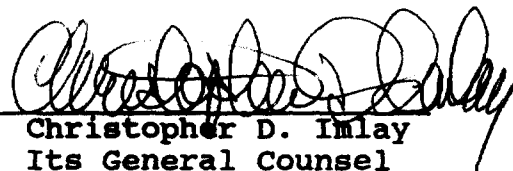
in structuring proposed agendas and issues for the 1997, 1999 and  
2001 WRC Conferences.

Respectfully submitted,

**THE AMERICAN RADIO RELAY  
LEAGUE, INCORPORATED**

225 Main Street  
Newington, CT 06111

By

  
Christopher D. Imlay  
Its General Counsel

BOOTH, FRERET & IMLAY  
1233 20th Street, N.W.  
Suite 204  
Washington, D.C. 20036  
(202) 296-9100

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